IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 17453US02)

In the Application of: Conf. No.: 4002

Jeffrey D. Carr Customer No.: 23446

U.S. Serial No.: 09/900,224

Filed: July 6, 2001

I hereby certify that this correspondence is being

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/Michael T. Cruz/ Michael T. Cruz

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PARAMETERS

Examiner: P. Parthasarathy

Reg. No. 44,636

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

This paper is a timely response to the Notification of Non-Compliant Appeal Brief mailed May 1, 2007. It is believed that this timely response places the Appeal Brief in full compliance. Remarks begin on page 2.

U.S. Application No. 09/900,224, filed July 6, 2001

Attorney Docket no. 17453US02

Response dated June 1, 2007

In Reply to Notification of Non-Compliant Appeal Brief mailed May 1, 2007

REMARKS

In the Notification of Non-Compliant Appeal Brief mailed May 1, 2007 ("Notification"), Lorenda Hood, Patent Appeal Center Specialist, notes that "The Appeal Brief fails to provide the status of all the claims in the application, specifically claim 6. Please note: Only section II needs to be resubmitted".

Since Patent Appeal Center Specialist Lorenda Hood has requested that only the "Status of Claims" section be resubmitted, Appellant respectfully submits, on the following page, a replacement section entitled "STATUS OF CLAIMS" in which Appellant states that claim 6 has been cancelled without prejudice.

It is believed that resubmission of the "Status of Claims" section places the Appeal Brief in full compliance.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: June 1, 2007 Respectfully submitted,

/Michael T. Cruz/ Michael T. Cruz Reg. No. 44,636

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Telephone: (312) 775-8084 Facsimile: (312) 775-8100 U.S. Application No. 09/900,224, filed July 6, 2001 Attorney Docket no. 17453US02 Response dated June 1, 2007

In Reply to Notification of Non-Compliant Appeal Brief mailed May 1, 2007

REPLACEMENT SECTION FOR APPEAL BRIEF

STATUS OF CLAIMS

Claims 1-5 and 7-18 are pending in the present application. Claim 6 was cancelled without prejudice. Pending claims 1-5 and 7-18 stand rejected under 35 U.S.C. § 102(e) and are the subject of this appeal.